



TITLE: COF Utility Relocation Changes- Part 1 **DATE:** 8/23/2018
PROJECT: Construction Package No. 1 **CONTRACT NO:** HSR 13-06

CONTRACTOR: Attn: Ghassan Ariqat
Tutor Perini/Zachry/Parsons, a Joint Venture
1401 Fulton Street
Suite 400
Fresno, CA 93721

DESCRIPTION OF CHANGE:

In accordance with General Provisions 49.1.10, "Material Change in Cooperative Agreement", this Change Order provides an adjustment in compensation as a result of material cost increases due to the additional requirements set forth in the Utility Relocation Cooperative Agreement with the City of Fresno, executed on November 7, 2014 at the following locations:

1. Water and Sewer Utility Relocations along Golden State Blvd. between Shaw Ave. and Ashlan Ave.
2. Water and Sewer Utility Relocations along Cornelia Avenue and Santa Ana Avenue south of Shaw Ave.
3. Water and Sewer Utility Relocations between Stanislaus Street and Mariposa Street
4. Water Utility Relocations along Shaw Avenue west of the Shaw Avenue Overhead structure, only

PAYMENT ADJUSTMENT AT AGREED LUMP SUM :

For this work, the Contractor shall be paid the agreed lump sum of \$4,343,757.00. This lump sum constitutes full and complete compensation from the California High-Speed Rail Authority for providing those services, labor, materials, equipment, tools and incidentals, necessary to implement this Change Order.

All markups related to this Change Order are expressly reserved by the Authority and Contractor, and any potential adjustment shall be addressed in accordance with the Contract provisions.

This lump sum price does not include any additional costs for cathodic protection of the water utilities or technical backfill of the water and sewer utilities.

By execution of this Change Order, the Contractor agrees that no additional compensation shall be paid for the design and construction of the City of Fresno Water and Sewer Utility Relocations as described above unless expressly omitted and/or reserved.

TIME ADJUSTMENT:

Any potential delay due to this Change Order shall be evaluated in accordance with the Contract provisions, including Section 23.4, "Equitable Adjustments – Limitation on Delay and Disruption Damages," of the General Provisions.

PCO	Payment Item	Description	Quantity	Unit	Unit Price	Net Amount	Time Adj. Days
00000	00001	City of Fresno Utility Relocation Changes- Part 1	1.0	LS	\$4,343,757.00	\$4,343,757.00	
00178		Partial Compensation for Executed Utility Agreement	1.0	LS	(\$2,000,000.00)	(\$2,000,000.00)	

Total: \$ 2,343,757.00

Contractor	California High Speed Rail Authority		
Acceptance by	Submitted by	Recommended by	Approved by

Release of Claims

Except as modified by this Change Order, all terms and conditions of the Contract, as previously modified, remain unchanged and in full force and effect. The parties agree that this Change Order is a final and equitable adjustment of the Contract time and Contract amount and constitutes a mutual accord and satisfaction of all claims, current or future, of whatever nature caused by or arising out of the facts and circumstances surrounding this Change Order including, but not limited to, direct, indirect and consequential costs; additional time for performance; and the impact of the modifications specified in this Change Order, alone or taken with other changes, on the unchanged Work.

Contractor's Sworn Certification

By executing this Change Order for the Contractor below, the undersigned for the Contractor certifies as true, under penalty of perjury (under the laws of California, executed in Fresno, California), as follows:

This Change Order is made in good faith and in accordance with the terms of the Contract.

The amount of time and/or compensation requested accurately reflects the appropriate adjustments and includes all known and anticipated impacts or amounts that may be incurred as a result of the event or matter giving rise to such proposed change.





The Contractor has no reason to believe and does not believe that the factual basis for this Change Order is falsely represented.

The Contractor has investigated the basis for each Subcontractor claim and has determined that each such claim is justified as to entitlement and amount of money and/or time requested and has no reason to believe and does not believe that the factual basis for the Subcontractor's claim is falsely represented.

Subcontractor's Sworn Certification(s):

Attached as _____ [indicate "none" if no such Subcontractors are involved] are sworn certifications from each Subcontractor involved in the Work or event contemplated by this Change Order in the form above.

Tutor Perini/Zachry/Parsons, a Joint Venture

Acceptance by		
Signature 	Ghassan Ariqat - Project Manager/Director	Date 9/18/19
California High-Speed Rail Authority		
Submitted by		
Signature 	Date Mike Sheffield - D-B Oversight Manager	9/18/18
Recommended by		
Signature 	Steven Milton- Design & Construction Manager	Date 9/18/18
Approval by		
Signature 	William Grimsley Ferry Ogletree Director of Design & Construction Interim	Date 9/19/19